

Manager denies doing wrong

By Katy Human

Camera Staff Writer

DENVER — Kaiser-Hill manager Tom Dieter sat on a witness stand for more than three hours Thursday morning, cross-examined in detail by lawyers on both sides of a Rocky Flats whistle-blowing case.

Dieter helps manage building 771 at the former nuclear weapons plant, and six people who once worked for him claim they were unfairly reassigned to "broom-pushing" jobs after pointing out serious safety concerns.

Kaiser-Hill is managing clean-up at the highly contaminated Rocky Flats.

Dieter said that although the workers — Betty Devers, David Martin, Joey Miller, Tracey Rittenbach, Dallas Sherman and Shirley Voorhies — may have been transferred to jobs where they had less access to overtime pay, he didn't know that would be so when he transferred them.

Nor did the workers' safety concerns influence him to move them out of the building, he said. Many other building workers were more safety-conscious than the complainants, Dieter said, "which we like. It keeps workers safe. It's more productive."

In response to questions from Bill Wright, a Kaiser-Hill lawyer, Dieter said managers often reward workers who bring up safety concerns, taking them out to lunch, for example.

But attorney Todd McNamara, representing the workers, used documents and questions to imply that Dieter and other managers in his building did not take safety seriously, prioritizing productivity instead.

McNamara suggested that Kaiser-Hill managers responded to some of his clients' safety concerns only after the Department of Energy levied hefty fines on its contractor for safety deficiencies.

Those safety concerns included material in a contaminated

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ages.

A federal administrative law judge is hearing the case, which is scheduled to close Wednesday. Sometime after that, judge Jeffrey Tureck will recommend a decision to the U.S. Secretary of Labor.

safety system sparking, which could indicate an extremely serious release of radioactivity; exposed pipes in the ceilings of several rooms being improperly sealed; and a portable air conditioner installed in a dangerous configuration near the door of a highly radioactive room.

Dieter said he received a bonus worth 25 percent of his annual pay in 2000, and that safety is the "No. 1" factor in determining bonus pay. But that same year, McNamara pointed out, Kaiser-Hill was fined \$250,000 for safety violations, many in building 771.

McNamara also quoted a Kaiser-Hill document reporting that supervisors and workers in 771 felt pressured to get jobs done on time — which earns the company bonus money — regardless of safety. The document suggested managers rewarded reckless workers who "get the job done."

The six workers are asking compensation for overtime and crew leader wages lost when they were transferred to less challenging jobs, and for emotional damages, which could total \$40,000 per person, said Kristina James, co-counsel. McNamara has not yet decided what to ask for punitive dam-